

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

STEPHEN M. ALLEN ET AL.

CASE NO.: BB1157USCNT

APPLICATION NO.: 10/659,199

GROUP ART UNIT: 1638

FILED: SEPTEMBER 10, 2003

EXAMINER: KUBELIK, ANNE R.

CONFIRMATION NO.: 5569

CUSTOMER NO.: 23906

FOR: A NUCLEIC ACID ENCODING  
A WHEAT BRITTLE-1 HOMOLOG

**RESPONSE TO OFFICE COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a response to the Office Communication that was mailed  
December 3, 2008.

**The Claims** are reflected in the listing of claims which begins on page 2 of  
this paper.

**Remarks** begin on page 3 of this paper.